

OFFICE OF THE CHIEF FINANCIAL OFFICER
Office of Revenue Analysis

NOTICE of STATUTORY and SPECIAL
REAL PROPERTY TAX RATES for TAX YEAR 2009

I. Statutory Real Property Tax Rates for Tax Year 2009

<u>Real Property Tax Class</u>	<u>Statutory Tax Rates Per \$100 of Assessed Value</u>
Class One (owner and renter-occupied residential)	\$0.85
Class Two (commercial)	
The First \$3 million in Assessed Value	\$1.65
The Assessed Value in Excess of \$3 million	\$1.85
Class Three (vacant real property)	\$10.00

II. Special Real Property Tax Rates for Tax Year 2009

BOND ACT REQUIREMENT
Certification of Debt Service Requirement

In Tax Year 2009, twenty-eight percent (28%) of total real property tax collections, by class, shall be dedicated to the repayment of General Obligations Bonds. The recommended special real property tax rates by class for Tax Year 2009 are as follows:

<u>Real Property Tax Class</u>	<u>Special Tax Rates Per \$100 of Assessed Value</u>
Class One (owner and renter-occupied residential)	\$0.24
Class Two (commercial)	
The First \$3 million in Assessed Value	\$0.46
The Assessed Value in Excess of \$3 million	\$0.52
Class Three (vacant real property)	\$2.80

DISTRICT OF COLUMBIA BOARD OF ELECTIONS AND ETHICS**Final Notice of Polling Place Relocation**

The Board of Elections and Ethics hereby gives public notice, in accordance with D.C. Official Code §1-309.10, of final action taken at its October 9, 2008 Special Board meeting in relocating Precinct #39, Ward 1 Polling Place.

The public is advised that the voting area for Precinct #39 will be changed from:

**Mount Pleasant Public Library
3160 16th Street, N.W
Meeting Room**

and moved to:

**Bell Multicultural High School
3101 16th Street, N.W.
Auditorium**

Please note that the relocation will be effective beginning with the upcoming November 4, 2008 Presidential General Election. All registered voters in the precinct will be individually notified of this change.

For further information, members of the public may contact the Board of Elections and Ethics at 727-2525.

HYDE LEADERSHIP PUBLIC CHARTER SCHOOL**Request for Proposals: Night Cleaning Services**

The Hyde Leadership Public Charter School is accepting bids to provide night cleaning services at 101 T Street, NE, Washington, D.C. RFP documents and bid specifications may be obtained by contacting Anne A. Hedman, Chief Operating Officer, at 202-551-0830 or by emailing ahedman@hydedc.org. Site visits can be arranged. Bids must be marked **ATTN: Business Office** and received no later than close of business October 10, 2008. The contract will be awarded to the qualified bidder with the most points in the evaluation criteria.

DISTRICT OF COLUMBIA COMMISSION ON JUDICIAL DISABILITIES AND TENURE

**Judicial Tenure Commission Begins Review
of Judge Rafael Diaz**

This is to notify members of the bar and the general public that the Commission has begun inquiries into the qualifications of Judge Rafael Diaz of the Superior Court of the District of Columbia. Judge Diaz is a declared candidate for reappointment as an Associate Judge upon the expiration of his term on March 27, 2009.

Under the provisions of the District of Columbia Self-Government and Governmental Reorganization Act, P.L. 93-198, 87 Stat. 796 (1973), §443(c) as amended by the District of Columbia Judicial Efficiency and Improvement Act, P.L. 99-573, 100 Stat. 3233, §12(1) provides in part as follows:

"...If a declaration (of candidacy) is so filed, the Tenure Commission shall, not less than sixty days prior to the expiration of the declaring candidate's term of office, prepare and submit to the President a written statement of the declaring candidate's performance during his present term of office and his fitness for reappointment to another term. If the Tenure Commission determines the declaring candidate to be well qualified for reappointment to another term, then the term of such declaring candidate shall be automatically extended for another full term, subject to mandatory retirement, suspension, or removal. If the Tenure Commission determines the declaring candidate to be qualified for reappointment to another term, then the President may nominate such candidate, in which case the President shall submit to the Senate for advice and consent the renomination of the declaring candidate as judge. If the President determines not to so nominate such declaring candidate, he shall nominate another candidate for such position only in accordance with the provisions of subsections (a) and (b). If the Tenure Commission determines the declaring candidate to be unqualified for reappointment to another term, then the President shall not submit to the Senate for advice and consent the nomination of the declaring candidate as judge and such judge shall not be eligible for reappointment or appointment as a judge of a District of Columbia Court."

The Commission hereby requests members of the bar, litigants, interested organizations, and members of the public to submit any information bearing on the qualifications of Judge Diaz which it is believed will aid the Commission. The cooperation of the community at an early stage will greatly aid the Commission in fulfilling its responsibilities. The identity of any person submitting material shall be kept confidential unless expressly authorized by the person submitting the information.

All communications shall be mailed or delivered by **November 17, 2008**, and addressed to:

District of Columbia Commission on Judicial
Disabilities and Tenure
Building A, Room 246
515 Fifth Street, N.W.
Washington, D.C. 20001
Telephone: (202) 727-1363
Fax: (202) 727-9718

The members of the Commission are:

William P. Lightfoot, Esq., Chairperson
Hon. Gladys Kessler, Vice Chairperson
Gary C. Dennis, M.D.
Noel J. Francisco, Esq.
Shirley A. Higuchi, Esq.
Ronald Richardson
Claudia A. Withers, Esq.

BY: /s/ William P. Lightfoot
Chairperson

KIPP DC**REQUEST FOR PROPOSALS**

KIPP DC, 910 17th Street, NW, Washington, DC 20006, will receive bids for the following: 1. LEED Consulting Services and 2. Borrower's Counsel services until 5:00 pm on October 24, 2008. For a full RFP contact Alex Shawe at 202-223-4505 or alex.shawe@kipfdc.org.

All proposals must meet minimum requirements as outlined in the RFP.

Requirements and all necessary forms may be obtained from:

Alex Shawe
KIPP DC
910 17th Street, NW – Suite 1050
Washington, DC 20006
Ph: 202-223-4505
Fax: 202-223-4505
Email: alex.shawe@kipfdc.org

PUBLIC SERVICE COMMISSION OF THE DISTRICT OF COLUMBIA**NOTICE OF REIMBURSABLE BUDGETS AND TOTAL GROSS
JURISDICTIONAL REVENUES****FORMAL CASE NO. 712, IN THE MATTER OF THE INVESTIGATION OF
THE PUBLIC SERVICE COMMISSION'S RULES OF PRACTICE AND
PROCEDURE**

1. The Public Service Commission of the District of Columbia ("Commission") hereby gives notice pursuant to Rule 1302.1(a) of Chapter 13 of Title 15 District of Columbia Municipal Regulations, "Rules Implementing the Public Utilities Reimbursement Fee Act of 1980" ("Chapter 13"), of the net reimbursable budgets for the Commission and the Office of the People's Counsel ("OPC") for the 2009 fiscal year.¹ In addition, pursuant to Rule 1302.1(b), the Commission gives notice of the total gross revenues of each public utility, competitive electric supplier, competitive natural gas supplier, and competitive local exchange carrier ("CLEC") for the preceding calendar year.

2. The net reimbursable budget for the Commission for the 2009 fiscal year is \$9,971,963.00. The net reimbursable budget for OPC for the 2009 fiscal year is \$5,024,793.00.

3. The total gross jurisdictional revenues of each public utility, competitive electric supplier, competitive natural gas supplier, and CLEC for the preceding calendar year were \$2,184,824,726.00.

¹ Rule 1302.1 states that: "[n]ot later than thirty (30) days following the start of each fiscal year, the Commission shall publish the following information in the District of Columbia Register: (a) The net reimbursable budgets for the Commission and Office of the People's Counsel for the fiscal year; and (b) The total of the gross revenues of each public utility, competitive electric supplier, competitive natural gas supplier, and CLEC for the preceding calendar year." 15 DCMR § 1302.1.

**OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION
OFFICE OF PUBLIC CHARTER SCHOOL FINANCING AND SUPPORT**

**ANNOUNCES A MEETING CANCELLATION
FOR THE DISTRICT OF COLUMBIA PUBLIC CHARTER SCHOOL CREDIT
ENHANCEMENT FUND COMMITTEE**

The Office of the State Superintendent of Education hereby announces that the October meeting for the District of Columbia Public Charter School Credit Enhancement Fund Committee, originally scheduled for October 23, 2008 will be cancelled.

For additional information, please contact:

Vanessa Carlo-Miranda
Program Manager
Office of the State Superintendent of Education
Government of the District of Columbia
441 4th Street, N.W.; Suite 350N
Washington, D.C. 20001
Tele: 202-442-4022
Fax: 202-727-2019
vanessa.miranda@dc.gov

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

Application No. 17807 of The Big Chill, pursuant to 11 DCMR § 3104.1, for a special exception for the off-site location of parking spaces under § 2116, to establish a night club/public hall in the C-M-2 District at premises 1369 New York Avenue, N.E. (Square 4038, Lot 800).

Note: The Applicant amended the application to request special exception relief under § 2116 rather than variance relief from the off-street parking requirements under § 2101.1.

HEARING DATE: September 9, 2008
DECISION DATE: September 23, 2008

SUMMARY ORDER

SELF-CERTIFIED

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR § 3113.2.

The Board provided proper and timely notice of the public hearing on this application by publication in the D.C. Register, and by mail to Advisory Neighborhood Commission (ANC) 5B and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 5B, which is automatically a party to this application. ANC 5B did not submit a report related to the application. The Office of Planning (OP) submitted a report in support of the application.

As directed by 11 DCMR § 3119.2, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to § 3104.1, for a special exception under § 2116. No parties appeared at the public hearing in opposition to this application. Accordingly a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board and having given great weight to the OP report, the Board concludes that the Applicant has met the burden of proof, pursuant to 11 DCMR §§ 3104.1 and 2116, that the requested relief can be granted, being in harmony with the general purpose and intent of the Zoning Regulations and Map. The Board further concludes that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map.

Pursuant to 11 DCMR § 3100.5, the Board has determined to waive the requirement of 11 DCMR § 3125.3, that the order of the Board be accompanied by findings of fact and conclusions of law.

BZA APPLICATION NO. 17807
PAGE NO. 2

It is therefore **ORDERED** that this application, pursuant to Exhibit No. 44, Plans, be **GRANTED, SUBJECT** to the following **CONDITIONS**:

1. The application shall expire in the year 2018 with the terms or conditions of the parking lot lease agreement;
2. The Applicant shall notify the Zoning Administrator if the parking lot lease terminates;
3. The parking lot is approved in accordance with the site plan marked as Exhibit 44 of the record.

VOTE: 5-0-0 (Ruthanne G. Miller, Shane L. Dettman, Mary Oates Walker,
Marc D. Loud, and Gregory N. Jeffries to approve)

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

Each concurring member approved the issuance of this order.

FINAL DATE OF ORDER: SEP 30 2008

PURSUANT TO 11 DCMR § 3125.9, NO ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN (10) DAYS AFTER IT BECOMES FINAL PURSUANT TO § 3125.6.

PURSUANT TO 11 DCMR § 3130, THIS ORDER SHALL NOT BE VALID FOR MORE THAN TWO YEARS AFTER IT BECOMES EFFECTIVE UNLESS, WITHIN SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS FOR THE PURPOSES OF SECURING A BUILDING PERMIT.

PURSUANT TO 11 DCMR § 3125 APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION FOR THE CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION THERETO) OR THE RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR STRUCTURE, UNLESS THE BOARD ORDERS OTHERWISE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD.

PURSUANT TO 11 DCMR § 3205, FAILURE TO ABIDE BY THE CONDITIONS IN THIS ORDER, IN WHOLE OR IN PART, SHALL BE GROUNDS FOR THE REVOCATION OF ANY BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY ISSUED PURSUANT TO THIS ORDER.

IN ACCORDANCE WITH THE D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE §§ 2-1401.01 ET SEQ. (ACT), THE DISTRICT OF COLUMBIA DOES NOT

BZA APPLICATION NO. 17807**PAGE NO. 3**

DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, GENETIC INFORMATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION.

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

Application No. 17809 of Jemal's Uline LLC, pursuant to 11 DCMR §3104.1 for special exception relief from parking requirements for historic structures under § 2120 and a special exception from the roof structure number and setback requirements under § 411 to permit the expansion and renovation of the existing Uline arena and ice house in the C-M-1 and C-M-3 Districts at premises 1130-1150 3rd Street, N.E. (Square 748, Lots 8-11, 42, 43, 802, 808-812).

Note: The applicant initially only sought variance relief from the parking requirements under § 2101.1. At the hearing and in its prehearing statement, the applicant requested to proceed as a special exception under § 2120 from the parking requirement for historic buildings. The request was supported by the Office of Planning and there was no opposition to the request.

HEARING DATE: September 16, 2008

DECISION DATE: September 16, 2008 (Bench Decision)

SUMMARY ORDER

SELF-CERTIFIED

The zoning relief requested in this case is self-certified, pursuant to 11 DCMR § 3113.2.

The Board provided proper and timely notice of the public hearing on this application by publication in the D.C. Register, and by mail to Advisory Neighborhood Commission (ANC) 6C and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 6C, which is automatically a party to this application. ANC 6C submitted a report in support of the application. The Office of Planning (OP) submitted a report recommending approval of the application subject to conditions. The Capitol Hill Restoration Society also submitted a letter in support of the special exception application.

As directed by 11 DCMR § 3119.2, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to § 3104.1, for special exception relief under §§ 2120 and 411. No parties appeared at the public hearing in opposition to this application. Accordingly a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board and having given great weight to the OP and ANC reports the Board concludes that the Applicant has met the burden of proof, pursuant to 11 DCMR §§ 3104.1, 2120 and 411, that the requested relief can be granted being in harmony with the general purpose and intent of the Zoning Regulations and Map. The Board further concludes

BZA APPLICATION NO. 17809
PAGE NO. 2

that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map.

The Board concludes that the Applicant shall have flexibility to provide between 162 and 182 parking spaces. Finally, the Board concludes that the Applicant shall have flexibility to revise the project based on review and comments by the Historic Preservation Review Board provided that the revisions do not affect the zoning relief granted.

Pursuant to 11 DCMR § 3100.5, the Board has determined to waive the requirement of 11 DCMR § 3125.3, that the order of the Board be accompanied by findings of fact and conclusions of law. It is therefore **ORDERED** that this application, pursuant to Exhibit No. 24 (Plans) as modified by Exhibit No. 29 (Revised Parking Plan), is hereby **GRANTED, SUBJECT to the following CONDITIONS:**

1. The Applicant shall provide a \$25 SmarTrip® card to each of the initial occupants of the development, including at a minimum the first 900 persons employed in the building.
2. The Applicant shall make available transit information in the lobby of the building for distribution to employees.
3. The Applicant shall provide indoor bicycle parking spaces at least equal to the number required pursuant to § 2119 of the Zoning Regulations.
4. The Applicant shall provide a car-sharing parking space in the development, should a car-sharing provider agree to the location of the space. However, if no car-share provider agrees to locate a car-share space in the development, then the Applicant shall provide written confirmation to that effect to the Zoning Administrator.
5. The Applicant shall have flexibility to (a) modify design features to comply with final HPRB approval so long as the modification does not affect the zoning relief granted in this Order, and (b) provide a range of between 162 (minimum) and 182 (maximum) parking spaces on-site, depending upon conditions determined at the time of construction.

VOTE: **5-0-0** (Ruthanne G. Miller, Anthony J. Hood, Marc D. Loud, Shane L. Dettman and Mary Oates Walker to approve)

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

Each concurring member has approved the issuance of this summary order.

FINAL DATE OF ORDER: OCT 02 2008

BZA APPLICATION NO. 17809**PAGE NO. 3**

PURSUANT TO 11 DCMR § 3125.6, THIS ORDER WILL BECOME FINAL UPON ITS FILING IN THE RECORD AND SERVICE UPON THE PARTIES. UNDER 11 DCMR § 3125.9, THIS ORDER WILL BECOME EFFECTIVE TEN DAYS AFTER IT BECOMES FINAL.

PURSUANT TO 11 DCMR § 3130, THIS ORDER SHALL NOT BE VALID FOR MORE THAN TWO YEARS AFTER IT BECOMES EFFECTIVE UNLESS, WITHIN SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS FOR THE PURPOSES OF SECURING A BUILDING PERMIT.

PURSUANT TO 11 DCMR § 3205, FAILURE TO ABIDE BY THE CONDITIONS IN THIS ORDER, IN WHOLE OR IN PART, SHALL BE GROUNDS FOR THE REVOCATION OF ANY BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY ISSUED PURSUANT TO THIS ORDER.

PURSUANT TO 11 DCMR 3125 APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION FOR THE CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION THERETO) OR THE RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR STRUCTURE, UNLESS THE BOARD ORDERS OTHERWISE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD.

THE APPLICANT SHALL COMPLY FULLY WITH THE PROVISIONS OF THE HUMAN RIGHTS ACT OF 1977, AS AMENDED, AND THIS ORDER IS CONDITIONED UPON FULL COMPLIANCE WITH THOSE PROVISIONS. IN ACCORDANCE WITH THE D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. CODE 2-1401.01 *ET SEQ.* (THE "ACT"), THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS ALSO PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION. THE FAILURE OR REFUSAL OF THE APPLICANT TO COMPLY SHALL FURNISH GROUNDS FOR THE DENIAL OR, IF ISSUED, REVOCATION OF ANY BUILDING PERMITS OR CERTIFICATES OF OCCUPANCY ISSUED PURSUANT TO THIS ORDER.

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

Application No. 17819 of Alison Rein and Matthew Gardner, pursuant to 11 DCMR § 3104.1, for a special exception to allow the construction of a two-story rear addition to an existing one-family row dwelling under section 223, not meeting the lot occupancy requirements (section 403), in the R-5-B District at premises 1811 15th Street, N.W. (Square 206, Lot 132).

HEARING DATE: October 7, 2008
DECISION DATE: October 7, 2008 (Bench Decision)

SUMMARY ORDER

SELF-CERTIFIED

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR § 3113.2.

The Board provided proper and timely notice of the public hearing on this application by publication in the D.C. Register, and by mail to Advisory Neighborhood Commission (ANC) 2B and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 2B, which is automatically a party to this application. ANC 2B submitted a report in support of the application. The Office of Planning (OP) submitted a report in support of the application.

As directed by 11 DCMR § 3119.2, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to § 3104.1, for special exception under section 223. No parties appeared at the public hearing in opposition to this application. Accordingly a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board, and having given great weight to the OP and ANC reports, the Board concludes that the Applicant has met the burden of proof, pursuant to 11 DCMR §§ 3104.1 and 223, that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map. The Board further concludes that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map.

Pursuant to 11 DCMR § 3100.5, the Board has determined to waive the requirement of 11 DCMR § 3125.3, that the order of the Board be accompanied by findings of fact and

BZA APPLICATION NO. 17819

PAGE NO. 2

conclusions of law. It is therefore **ORDERED** that this application (pursuant to Exhibit No. 9 - Plans) be **GRANTED**.

VOTE: **5-0-0** (Ruthanne G. Miller, Gregory N. Jeffries, Shane L. Dettman, Mary Oates Walker and Marc D. Loud to approve)

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

Each concurring member approved the issuance of this order.

FINAL DATE OF ORDER: October 8, 2008

UNDER 11 DCMR 3125.9, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE FOR THE BOARD OF ZONING ADJUSTMENT."

PURSUANT TO 11 DCMR § 3130, THIS ORDER SHALL NOT BE VALID FOR MORE THAN TWO YEARS AFTER IT BECOMES EFFECTIVE UNLESS, WITHIN SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS FOR THE PURPOSES OF SECURING A BUILDING PERMIT.

PURSUANT TO 11 DCMR § 3125 APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION FOR THE CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION THERETO) OR THE RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR STRUCTURE, UNLESS THE BOARD ORDERS OTHERWISE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD.

D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE § 2-1401.01 ET SEQ., (ACT) THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS ALSO PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS ALSO PROHIBITED BY

BZA APPLICATION NO. 17819

PAGE NO. 3

THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION. THE FAILURE OR REFUSAL OF THE APPLICANT TO COMPLY SHALL FURNISH GROUNDS FOR THE DENIAL OR, IF ISSUED, REVOCATION OF ANY BUILDING PERMITS OR CERTIFICATES OF OCCUPANCY ISSUED PURSUANT TO THIS ORDER. RSN

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

Application No. 17820 of Michael and Meta Carr, pursuant to 11 DCMR § 3104.1, for a special exception to allow the construction of a third story addition to an existing one-family row dwelling under section 223, not meeting the court requirements (section 406), in the DC/R-5-B District at premises 1718 15th Street, N.W. (Square 192, Lot 102).

HEARING DATE: October 7, 2008

DECISION DATE: October 7, 2008 (Bench Decision)

SUMMARY ORDER

REVIEW BY THE ZONING ADMINISTRATOR'S OFFICE

The application was accompanied by a memorandum from the Zoning Administrator certifying the required relief.

The Board provided proper and timely notice of the public hearing on this application by publication in the D.C. Register, and by mail to Advisory Neighborhood Commission (ANC) 2B and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 2B, which is automatically a party to this application. ANC 2B submitted a report in support of the application. The Office of Planning (OP) submitted a report in support of the application.

As directed by 11 DCMR § 3119.2, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to § 3104.1, for special exception under section 223. No parties appeared at the public hearing in opposition to this application. Accordingly a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board, and having given great weight to the OP and ANC reports, the Board concludes that the Applicant has met the burden of proof, pursuant to 11 DCMR §§ 3104.1 and 223, that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map. The Board further concludes that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map.

Pursuant to 11 DCMR § 3100.5, the Board has determined to waive the requirement of 11 DCMR § 3125.3, that the order of the Board be accompanied by findings of fact and conclusions of law. It is therefore **ORDERED** that this application (pursuant to Exhibit No. 9 - Plans) be **GRANTED**.

BZA APPLICATION NO. 17820

PAGE NO. 2

VOTE: **5-0-0** (Ruthanne G. Miller, Gregory N. Jeffries, Shane L. Dettman, Mary Oates Walker and Marc D. Loud to approve)

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

Each concurring member approved the issuance of this order.

FINAL DATE OF ORDER: October 8, 2008

UNDER 11 DCMR 3125.9, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE FOR THE BOARD OF ZONING ADJUSTMENT."

PURSUANT TO 11 DCMR § 3130, THIS ORDER SHALL NOT BE VALID FOR MORE THAN TWO YEARS AFTER IT BECOMES EFFECTIVE UNLESS, WITHIN SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS FOR THE PURPOSES OF SECURING A BUILDING PERMIT.

PURSUANT TO 11 DCMR § 3125 APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION FOR THE CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION THERETO) OR THE RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR STRUCTURE, UNLESS THE BOARD ORDERS OTHERWISE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD.

D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE § 2-1401.01 ET SEQ., (ACT) THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS ALSO PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS ALSO PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION.

BZA APPLICATION NO. 17820

PAGE NO. 3

THE FAILURE OR REFUSAL OF THE APPLICANT TO COMPLY SHALL FURNISH GROUNDS FOR THE DENIAL OR, IF ISSUED, REVOCATION OF ANY BUILDING PERMITS OR CERTIFICATES OF OCCUPANCY ISSUED PURSUANT TO THIS ORDER. RSN

**OFFICE OF DOCUMENTS AND ADMINISTRATIVE ISSUANCES
PUBLICATIONS PRICE LIST**

DISTRICT OF COLUMBIA MUNICIPAL REGULATIONS (DCMR)

TITLE	SUBJECT	PRICE
1	DCMR MAYOR AND EXECUTIVE AGENCIES (JUNE 2001)	\$16.00
3	DCMR ELECTIONS & ETHICS (MARCH 2007)	\$20.00
4	DCMR HUMAN RIGHTS (MARCH 1995).....	\$13.00
5	DCMR BOARD OF EDUCATION (DECEMBER 2002).....	\$26.00
6A	DCMR POLICE PERSONNEL (JUNE 2007).....	\$8.00
7	DCMR EMPLOYMENT BENEFITS (JANUARY 1986).....	\$8.00
8	DCMR UNIVERSITY OF THE DISTRICT OF COLUMBIA (JUNE 1988).....	\$8.00
9	DCMR TAXATION & ASSESSMENTS (APRIL 1998).....	\$20.00
10	DCMR DISTRICT'S COMPREHENSIVE PLAN (PART 1, OCTOBER 2007)	\$70.00
	+ \$10.00 for postage	
10	DCMR PLANNING & DEVELOPMENT (PART 2, MARCH 1994) w/1996 SUPPLEMENT*	\$26.00
11	DCMR ZONING (FEBRUARY 2003)	\$35.00
12	DCMR CONSTRUCTION CODES SUPPLEMENT (MARCH 2007).....	\$25.00
13B	DCMR BOILER & PRESSURE VESSEL CODE (MAY 1984).....	\$7.00
14	DCMR HOUSING (DECEMBER 2004)	\$25.00
15	DCMR PUBLIC UTILITIES & CABLE TELEVISION (JUNE 1998).....	\$20.00
16	DCMR CONSUMERS, COMMERCIAL PRACTICES & CIVIL INFRACTIONS (JULY 1998).....	\$20.00
17	DCMR BUSINESS, OCCUPATIONS & PROFESSIONS (MAY 1990)	\$26.00
18	DCMR VEHICLES & TRAFFIC (APRIL 1995) w/1997 SUPPLEMENT*	\$26.00
19	DCMR AMUSEMENTS, PARKS & RECREATION (JUNE 2001)	\$26.00
20	DCMR ENVIRONMENT - CHAPTERS 1-39 (FEBRUARY 1997)	\$20.00
20	DCMR ENVIRONMENT - CHAPTERS 40-70 (FEBRUARY 1997)	\$26.00
21	DCMR WATER & SANITATION (FEBRUARY 1998).....	\$20.00
22	DCMR PUBLIC HEALTH & MEDICINE (AUGUST 1986).....	\$26.00
22	DCMR HEALTH CARE & COMMUNITY RESIDENCE FACILITIES SUPPLEMENT (AUGUST 1986 - FEBRUARY 1995)	\$13.00
23	DCMR ALCOHOLIC BEVERAGES (AUGUST 2004).....	\$10.00
24	DCMR PUBLIC SPACE & SAFETY (DECEMBER 1996)	\$20.00
25	DCMR FOOD AND FOOD OPERATIONS (AUGUST 2003)	\$20.00
26	DCMR INSURANCE (FEBRUARY 1985).....	\$9.00
27	DCMR CONTRACTS AND PROCUREMENT (JULY 1988).....	\$22.00
28	DCMR CORRECTIONS, COURTS & CRIMINAL JUSTICE (AUGUST 2004).....	\$10.00
29	DCMR PUBLIC WELFARE (MAY 1987)	\$8.00
30	DCMR LOTTERY AND CHARITABLE GAMES (MARCH 1997)	\$20.00
31	DCMR TAXICABS & PUBLIC VEHICLES FOR HIRE (JULY 2004)	\$16.00

Publications Price List (Continued)**OTHER PUBLICATIONS**

2000 - 2005 Indices	\$40.00 + \$10.00 postage
1994 - 1996 Indices.....	\$52.00 + \$10.00 postage
1997 - 1998 Indices.....	\$52.00 + \$10.00 postage
Complete Set of <i>D.C. Municipal Regulations</i>	\$665.00
D.C. Register yearly subscription.....	\$195.00
Rulemaking Handbook & Publications Style Manual (1983).....	\$5.00
D.C. Comprehensive Plan Maps	\$5.00
*Supplements to D.C. Municipal Regulations	\$5.00

MAIL ORDERS: Send exact amount in check or money order made payable to the D.C. Treasurer.
Specify title and subject. Send to: D.C. Office of Documents and Administrative Issuances, Room 520,
One Judiciary Square, 441 - 4th St., N.W., Washington, D.C. 20001. Phone: 727-5090

OVER THE COUNTER SALES: Come to Rm. 520, One Judiciary Sq., Bring check or money order.

All sales final. A charge of \$65.00 will be added for any dishonored check (D.C. Law 4-16)